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NOTE VERBALE DATED 30 DECEMBER 1991 FROM THE PERMANENT
REPRESENTATIVE OF AUSTRALIA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Australia to the United Nations, in reference to the Secretary-General's note of 16 December 1991, in which the Secretary-General drew attention to Security Council resolution 724 (1991), and specifically to paragraph 5 of the resolution, has the honour to inform the Secretary-General as follows.

Australia has complied with its obligations in relation to paragraph 6 of resolution 713 (1991), to which paragraph 5 of resolution 724 (1991) refers, through the administration of existing Australian legislation and regulations relating to the export from Australia of defence and defence-related goods.

The Australian Government maintains general controls on the export from Australia of defence and defence-related goods through provisions of the Customs Act 1901 and associated Customs (Prohibited Exports) Regulations. These controls are administered by the Minister for Defence, and goods requiring the Minister's permission are specified in schedule 13 of the Customs (Prohibited Exports) Regulations. Australian government policy, as specified in government guidelines published in 1989, is to prohibit the export of defence and defence-related goods to certain destinations including "to countries against which the United Nations Security Council has imposed a mandatory arms embargo, or which are employing armed forces in a manner contrary to a resolution of the United Nations Security Council, or contrary to the provisions of international instruments to which Australia is a party". Since Security Council resolution 713 (1991) imposes an arms embargo on Yugoslavia, under the policy of the Australian Government exports of defence and related goods to Yugoslavia are prohibited.

The Australian Government also maintains specific controls over the export to all destinations of nuclear and related goods, toxicological agents of a biological, chemical or radioactive nature designed or adapted for warfare, and associated production and dissemination equipment, and chemical weapons precursors through the Customs Act and the Customs (Prohibited Exports) Regulations. These controls would prevent the export of the foregoing items from Australia to Yugoslavia.
